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EXAMINER
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CHOI, MICHAEL P

ART UNIT	PAPER NUMBER
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2621

NOTIFICATION DATE	DELIVERY MODE
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09/03/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/671,374	<b>Applicant(s)</b> YOON ET AL.	
	<b>Examiner</b> MICHAEL CHOI	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6, 11, 12, 17, 21, 22, 24, 25, 27, 31, 33-36, 42 and 48-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 11, 12, 17, 21, 22, 24, 25, 27, 31, 33-36, 42 and 48-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/22/09 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed 12/3/08 have been fully considered but they are not persuasive.

As per remarks on pages 15 and 16, applicant argues that Chung does not disclose or suggest system environment elements being included in the start-up file and comprising at least one of information associated with a-playback right, a region code, a language of the additional contents and memory management information or additional contents includes at least one of an HTML file, an image file and a sound file. Further, that Chung does not disclose or suggest ENAV data having at least one of an html file, an image file and a sound file.

In response, Chung teaches, as referenced in the parentheses, system environment elements being included in the start-up file (in at least Fig. 5, A.HTM under the KOR directory; Paragraphs [0062,0064]) and comprising at least one of information associated with a-playback right (Paragraphs [0078-0080] – right to output determined font), a region code (in at least Figs. 6A, 6B – language code), a language of the additional contents and memory management information (Fig. 5 – Korean, Japanese, English; Paragraphs [0067-0068]) or additional

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contents includes at least one of an HTML file, an image file and a sound file (Fig. 5 – various languages having html document files; Paragraphs [0062-0064]). Chung also teaches the limitation where said additional contents includes at least one of an HTML file, an image file and a sound file (Fig. 5 – various languages having html document files; Paragraphs [0062-0064]). The proper language written in the newly amended claim limitation refers to additional contents and not such ENAV data. If such were true, it is noted that the features upon which applicant relies (i.e., ENAV data) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6, 12, 17, 21, 22, 24, 25, 27, 31, 33-36, 42, 43, 47-55, 58 and 59 are rejected under 35 U.S.C. 102(e) as being anticipated by Chung et al. (US 2003/0086690 A1).

**Regarding Claim 1**, Chung teaches a method for setting a playback environment for a recording medium (Fig. 9), the method comprising:

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- determining availability of additional contents associated with audio/video (A/V) data recorded on the recording medium, based on control data recorded on the recording medium (in at least Fig. 8, 800 – control information; Fig. 10A, 1000; Fig. 10B, 1001; Fig. 11A, 1110; Paragraphs [0063,0087] – further clarified in that the system in Figs. 10A, 10B and 11A determine which fonts are there to load, thus determining availability of additional contents) or received through a communication network from an external server (Paragraph [0041,0076,0092]; Claim 50), said control data comprising system environment elements used for the additional contents (see Fig. 5, DVD interactive directory with associated language directories), the system environment elements being included in the start-up file (in at least Fig. 5, A.HTM under the KOR directory; Paragraphs [0062,0064]) and comprising at least one of information associated with a playback right (Paragraphs [0078-0080] – right to output determined font), a region code (in at least Figs. 6A, 6B – language code), a language of the additional contents and memory management information (Fig. 5 – Korean, Japanese, English; Paragraphs [0067-0068]);
- storing the additional contents in a temporary storage area (in at least Figs. 9; Fig. 10A, 1030; Fig. 10B, 1021,1031; Paragraphs [0024,0035,0040,0042]) as a result of determined step (Paragraphs [0063,0087]; Fig. 10A, 1030; Fig. 10B, 1021,1031; Fig. 11A, 1121,1160); and
- reproducing the A/V data and the additional contents loaded in the temporary storage area according to the control data (in at least Fig. 9, 950; Fig. 10A, 1040,1050; Fig. 10B, 1041,1051; Paragraphs [0024,0092]),

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- wherein said additional contents includes at least one of an HTML file, an image file and a sound file (Fig. 5 – various languages having html document files; Paragraphs [0062-0064]).

**Regarding Claim 2**, Chung teaches the method of claim 1, further comprising: loading the start-up file into a temporary storage area (in at least Fig. 5, A.HTM under the KOR directory; Paragraphs [0062,0064]).

**Regarding Claim 3**, Chung teaches the method of claim 1, wherein the control data comprises information about location where the additional contents can be accessed (Fig. 5, A.HTM, B.HTM, C.HTM).

**Regarding Claim 4**, Chung teaches the method of claim 1, further comprising: storing the control data in the temporary storage area (in at least Figs. 9; Fig. 10A, 1030; Fig. 10B, 1021,1031; Paragraphs [0024,0035,0040,0042]), prior to the A/V data being reproduced (in at least Figs. 9; Fig. 10A, 1030; Fig. 10B, 1021,1031; Paragraphs [0024,0035,0040,0042]).

**Regarding Claim 5**, Chung teaches the method of claim 1, further comprising: loading the first data into the temporary storage area prior to loading the additional contents in the temporary storage area (see Abstract; Paragraphs [0060,0064;0087,0088,0090]).

**Regarding Claim 6**, Chung teaches the method of claim 2, the method further comprising: setting the system environment according to the system environment elements prior

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to reproducing the A/V data (in at least Figs. 9; Fig. 10A, 1000-1030; Fig. 10B, 1001-1031; Fig. 11A, 1110-1200; Paragraphs [0024,0035,0040,0042]).

**Regarding Claim 11**, Chung teaches the method of claim 6, wherein the system environment elements comprises a list of additional contents associated with playback right information (Paragraphs [0078-0080] – right to output determined font), wherein the additional contents are differently designated according to the playback right information (Paragraphs [0078-0080] – right to output determined font for various languages; Fig. 5, Korean, Japanese, English).

**Regarding Claim 12**, Chung teaches the method of claim 6, wherein the system environment elements comprises a list of additional contents associated with region code information, wherein the additional contents are differently designated according to the region code information (in at least Figs. 6A, 6B – language codes per spoken language).

**Regarding Claim 17**, Chung teaches the method of claim 1, wherein at least a portion of the additional contents associated with the A/V data is preloaded in the temporary area in advance of reproducing the A/V data (see Abstract; Paragraphs [0060,0064;0087,0088,0090]), so that the A/V data can be seamlessly reproduced in synchronization with respective additional contents (see Abstract, and in at least Paragraphs [0062,0073,0081,0083]).

**Regarding Claim 21**, Chung teaches the method of claim 1, wherein the step of storing the additional contents comprises: setting a language of the additional contents (Fig. 5 – Korean, Japanese, English; Paragraphs [0067-0068]); and allocating a space in the temporary

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storage area based on the control data to store the additional contents (in at least Fig. 8, 800 – control information; Fig. 10A, 1000; Fig. 10B, 1001; Fig. 11A, 1110; Paragraphs [0063,0087-0089]).

**Regarding Claim 22**, Chung teaches the method of claim 21, further comprising: processing setup information designated within the control data (Paragraphs [0042,0046,0061,0063-0065]), the setup information comprising information related to a menu screen (Paragraph [0061]).

**Regarding Claim 24**, Chung teaches the method of claim 1, wherein the step of reproducing the A/V data comprises: synchronizing reproduction of the additional contents and the A/V data (Paragraphs [0040,0092]).

**Regarding Claim 25**, Chung teaches the method of claim 1, wherein the step of storing the additional contents comprises: preloading the additional contents in the temporary storage area in advance of reproducing the A/V data recorded on the recording medium (see Abstract; Paragraphs [0060,0064;0087,0088,0090]).

**Regarding Claim 27**, Chung teaches the method of claim 1, wherein new additional content is preloaded in the temporary storage area (see Abstract; Paragraphs [0060,0064;0087,0088,0090]) as storage space in the temporary storage area becomes available when the additional content stored in the temporary storage area is reproduced (see Abstract; Paragraphs [0060,0064;0087,0088,0090]; see Fig. 11A).



**Regarding Claim 31**, Chung teaches a computer-readable recording medium (as further clarified in at least Fig. 9, 900; Abstract, Paragraphs [0021+]) comprising instructions configured to cause a device to perform the following steps:

- determine availability of additional contents associated with audio/video (A/V) data recorded on the recording medium, based on control data recorded on the recording medium (in at least Fig. 8, 800 – control information; Fig. 10A, 1000; Fig. 10B, 1001; Fig. 11A, 1110; Paragraphs [0063,0087] – further clarified in that the system in Figs. 10A, 10B and 11A determine which fonts are there to load, thus determining availability of additional contents) or received through a communication network from an external server (Paragraph [0041,0076,0092]; Claim 50), said control data comprising system environment elements used for the additional contents (see Fig. 5, DVD interactive directory with associated language directories), the system environment elements being included in the start-up file (in at least Fig. 5, A.HTM under the KOR directory; Paragraphs [0062,0064]) and comprising at least one of information associated with a playback right (Paragraphs [0078-0080] – right to output determined font), a region code (in at least Figs. 6A, 6B – language code), a language of the additional contents and memory management information (Fig. 5 – Korean, Japanese, English; Paragraphs [0067-0068]);
- store the additional contents in a temporary storage area (in at least Figs. 9; Fig. 10A, 1030; Fig. 10B, 1021,1031; Paragraphs [0024,0035,0040,0042]) as a result of the determining step (Paragraphs [0063,0087]; Fig. 10A, 1030; Fig. 10B, 1021,1031; Fig. 11A, 1121,1160); and

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- reproduce the A/V data and the additional contents loaded in the temporary storage area according to the control data (in at least Fig. 9, 950; Fig. 10A, 1040,1050; Fig. 10B, 1041,1051; Paragraphs [0024,0092]),
- wherein said additional contents includes at least one of an HTML file, an image file and a sound file (Fig. 5 – various languages having html document files; Paragraphs [0062-0064]).

**Regarding Claim 33**, Chung teaches the computer-readable medium of claim 31, wherein the control information comprises an address of a content provider remotely accessible through a communications network (Paragraph [0064,0065,0070,0076,0092]; Claim 50).

**Regarding Claim 34**, Chung teaches the computer-readable medium of claim 31, wherein the start-up information comprises access information for accessing the additional contents (Fig. 8 – interactive data).

**Regarding Claim 35**, Chung teaches the computer-readable medium of claim 34, wherein the start-up information is preloaded into a memory within a player (Fig. 9), before the A/V data is reproduced by the player (see Abstract; Paragraphs [0060,0064;0087,0088,0090]).

**Regarding Claim 36**, Chung teaches the computer-readable medium of claim 31, wherein the start-up information further comprises at least one of information about a playback right of the recording medium (Paragraphs [0078-0080] – right to output determined font), a region code (in at least Figs. 6A, 6B – language code), a language of the additional contents (Fig. 5 – Korean, Japanese, English; Paragraphs [0067-0068]), website connection limitations

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and memory management (Paragraphs [0089,0090] – AV data allocated in first memory whereas interactive data stored in a second memory; Fig. 9).

**Regarding Claim 42**, Chung teaches the computer-readable medium of claim 31, wherein the start-up information is stored as a markup language file (in at least Fig. 5, A.HTM under the KOR directory; Paragraphs [0062,0064]).

**Regarding Claim 47**, Chung teaches the computer-readable medium of claim 31, wherein the start-up information is included in a start-up file (Fig. 5 – A.HTM within Korean directory).

**Regarding Claim 48**, Chung teaches the computer-readable medium of claim 31, wherein the start-up file comprises a plurality of playback right information for designating a plurality of additional content categories (Paragraphs [0078-0080] – right to output determined font for various languages; Fig. 5, Korean, Japanese, English).

**Regarding Claim 49**, Chung teaches the medium of computer-readable claim 47, wherein the start-up file comprises a plurality of region code information for designating a plurality of additional content categories (Fig. 5 – Korean, Japanese, English; Paragraphs [0067-0068]).

**Regarding Claim 50**, Chung teaches a medium player system comprising:

- an audio/video (A/V) player engine configured to reproduce A/V data recorded on a medium (Fig. 9); and

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- an enhanced player engine configured to reproduce additional contents based on a system environment elements recorded on the medium or received (Paragraphs [0040,0092]; and in at least Fig. 9, 940; Fig. 10A, 1000; Fig. 10B, 1001; Fig. 11A, 1110; Paragraphs [0063,0087]) through a communication network from an external server, the system environment elements being used for the additional contents (Paragraph [0041,0076,0092]; Claim 50), the system environment elements being included in the start-up file (in at least Fig. 5, A.HTM under the KOR directory; Paragraphs [0062,0064]) and comprising at least one of information associated with a playback right (Paragraphs [0078-0080] – right to output determined font), a region code (in at least Figs. 6A, 6B – language code), a language of the additional contents and memory management information (Fig. 5 – Korean, Japanese, English; Paragraphs [0067-0068]); and
- a controller (Figs. 10A, 10B, 11A – controller performing steps outlined in such figures; Fig. 9 – to screen output unit; Claims 67 and 68) configured to control the A/V player engine and the enhanced player engine to reproduce in synchronization with the A/V data and the associated additional contents (see Abstract, and in at least Paragraphs [0062,0073,0081,0083]),
- wherein said additional contents includes at least one of an HTML file, an image file and a sound file (Fig. 5 – various languages having html document files; Paragraphs [0062-0064]).

**Regarding Claim 51**, Chung teaches the player system of claim 50, further comprising: a temporary storage configured to store the start-up file (Fig. 5, A.HTM under the KOR directory; Paragraphs [0062,0064,0089,0090]).

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**Regarding Claim 52**, Chung teaches the player system of claim 50, wherein the environment elements comprise information about a location where the additional contents can be accessed (Fig. 5, A.HTM, B.HTM, C.HTM), and wherein the controller is configured to access the additional contents based on the information about location (Fig. 5, A.HTM, B.HTM, C.HTM).

**Regarding Claim 53**, Chung teaches the player system of claim 50, wherein the controller is configured to store the environment elements in a temporary storage, prior to the A/V data being reproduced (in at least Figs. 9; Fig. 10A, 1030; Fig. 10B, 1021,1031; Paragraphs [0024,0035,0040,0042]).

**Regarding Claim 54**, Chung teaches the player system of claim 51, wherein the start-up file comprises information about the additional contents to be loaded into the temporary storage, before the A/V data is reproduced (see Abstract; Paragraphs [0060,0064;0087,0088,0090]), and wherein the controller is configured to identify the information and to load the additional contents into the temporary storage according the identified information (Fig. 9; Fig. 10A, 1000-1030 – loading fonts to be preloaded into memory; 10B, 1011-1031; Fig. 11A, 1120-1200).

**Regarding Claim 55**, Chung teaches the player system of claim 51, wherein the start-up file comprises at least one of information associated with playback right information (Paragraphs [0078-0080] – right to output determined font), region code information (in at least Figs. 6A, 6B – language code), language of the additional contents (Fig. 5 – Korean, Japanese, English; Paragraphs [0067-0068]) and memory management information (Paragraphs [0089,0090] – AV data allocated in first memory whereas interactive data stored in a second memory; Fig. 9), and

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wherein the controller is configured to set the system environment elements according to the information, prior to reproducing the A/V data (in at least Figs. 9; Fig. 10A, 1000-1030; Fig. 10B, 1001-1031; Fig. 11A, 1110-1200; Paragraphs [0024,0035,0040,0042]).

**Regarding Claim 58**, Chung teaches the player system of claim 51, wherein the start-up file comprises information associated with the memory management information (Paragraphs [0089,0090] – AV data allocated in first memory whereas interactive data stored in a second memory; Fig. 9), and wherein the controller is configured to control the temporary storage according to the information (in at least Fig. 9, 950; Fig. 10A, 1040,1050; Fig. 10B, 1041,1051; Paragraphs [0024,0092]).

**Regarding Claim 59**, Chung teaches the player system of claim 51, further comprising: a network interface configured to communicate with an external entity in order to receive information from the external entity and send information to the external entity (Paragraphs [0041,0076,0092]; Claim 50 – such connection to network is interface between server to device).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 56 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al. (US 2003/0086690 A1) in view of Kelts (US 2001/0030667 A1).

**Regarding Claim 56**, Chung teaches the player system of claim 51, but fails to explicitly teach wherein the temporary storage area is in a semiconductor storage device. Kelts teaches such limitation (Paragraph [0100] – semiconductor memory).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have such temporary storage to allow high speed information storage in short amounts of time while making use of a readily available component.

**Regarding Claim 57**, Chung teaches the player system of claim 51, but fails to explicitly teach wherein the temporary area has a predetermined capacity. Kelts teaches such limitation (Fig. 27, 2736 – video memory; Paragraph [0273] – for example video memory of 8 Megabytes).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have such temporary storage to allow high speed information storage in short amounts of time as in any buffer size while making use of a readily available component.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL CHOI whose telephone number is (571) 272-9594. The examiner can normally be reached on M-F (9am - 5:30pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MICHAEL CHOI  
Examiner  
Art Unit 2621

/Marsha D. Banks-Harold/  
Supervisory Patent Examiner, Art Unit 2621